



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1 VAC 20-20-20
Regulation title	Secure Data Transmission
Action title	Sensitive personal information must be encrypted or redacted before being sent electronically.
Final agency action date	11/22/2010, effective when precleared
Document preparation date	12/1/2010

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Federal and state laws require Virginia election administrators to maintain the security and confidentiality of personal voter information, including social security number and full date of birth. The adopted regulation provides a standard for encryption technology that localities may provide as an alternative to redacting personal information from applications and other documents before transmitting them electronically.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The State Board Elections at its meeting on November 22, 2010, approved the regulation titled Secure Data Transmission and directed that the regulation be submitted for preclearance as required by § 5 of the Voting Rights Act before the regulation takes effect.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The adopted regulation helps prevent identity theft that can impair family economic security.